

SB 589 (Lowenthal)

As amended June 21, 2011

Expanded Producer Responsibility: Fluorescent Lighting

BACKGROUND SHEET

PURPOSE

To provide a convenient and cost-effective system for California residents to recycle their fluorescent lamps.

SUMMARY

SB 589:

- Requires a manufacturer of mercury-containing lamps sold in this state, individually or through a stewardship organization, to prepare and submit a household mercury-containing lamp stewardship plan to the Department of Resources Recycling and Recovery, no later than April 1, 2013.
- Requires the stewardship plan to include: a means to encourage retailers to provide voluntary in-store collection, encourage government agencies to provide end-of-life programs for these lamps, costs for the collection of these lamps either by retailer or local government to be paid for by the manufacturer or stewardship organization, public education, information on collection locations and a sufficient funding mechanism .
- On and after July 1, 2013, prohibits a manufacturer or retailer from selling mercury-containing lamps into California unless the manufacturer has submitted its plan to the Department.
- By July 1, 2013, retailers selling household mercury containing lamps shall add the stewardship fee to the retail purchase prices of each household mercury containing lamp, document this fee on the receipt, include: www.lamprecycle.org on the receipt and remit the fee to the manufacturer or stewardship organization.
- By July 1, 2014 and annually thereafter a manufacturer or designated stewardship organization, shall demonstrate to the Department that it has achieved continuous meaningful improvement in implementing the stewardship plan. In demonstrating improvement, a manufacturer shall consider: the baseline recovery and recycling efforts, against which the demonstrated improvement is compared and the effectiveness of achieving the goals established by the plan.
- On July 1, 2014 and annually thereafter, the Department shall require a manufacturer to terminate the sale of household mercury containing lamps in the state if the Department finds that the program in which the manufacturer is participating or conducting on its own is not proportionately contributing to the packaging, transportation and recycling of end-of-life household mercury-containing lamps in the state.

BACKGROUND

- AB 1109 (Huffman) required the Department of Toxic Substances Control to convene a Task Force to consider and make recommendations on methods of collection, recycling, education, outreach, labeling, and designations for end of life residential fluorescent lamps, which are considered hazardous waste upon disposal.
- Using fluorescent lamps is good for the environment; they save energy, last much longer than incandescent lamps, reduce dependency on fossil fuels, and decrease production of green house gases.
- All fluorescent lamps contain a small amount of mercury, a potent neurotoxin.
- Fluorescent lamps and other mercury-containing devices are banned from landfills in California.
- Since 2006, California households have not been able to legally dispose of fluorescent lamps in the trash.
- The California Department of Toxic Substances Control (DTSC) has adopted regulations that require safe management and recycling of fluorescent lamps, however a convenient and cost effective infrastructure for California residents to recycle their lamps does not exist in most areas of the state.
- Extended Producer Responsibility (EPR), also known as Product Stewardship, is strategy to place a shared responsibility for end-of-life product management on the producers, and all entities involved in the product chain, instead of the general public; while encouraging product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This

allows the costs of treatment and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. EPR also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers respond.

- SB 589 seeks to provide the framework for a convenient and cost-effective program for California residents to recycle their fluorescent lamps.

ADDITIONAL INFORMATION

AB 1109 Lighting Task Force Report:
http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/upload/ab1109_final.pdf

SUPPORT

OSRAM Sylvania, Inc.

OPPOSITION

None received as of 6/21/11.

STATUS

In Assembly Environmental and Toxic Materials Committee.

CONTACTS

Josh Tooker, 916-651-4027,
Joshua.tooker@sen.ca.gov

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